

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: NAKATA=11

In re Application of:)	Confirmation No.: 7874
)	
Tsutomu NAKADA et al)	Art Unit: 1795
)	
Appln. No.: 10/816,168)	Examiner: Edna WONG
)	
Filing Date: April 2, 2004)	January 11, 2008
)	
For: COPPER PLATING BATH AND...)	

REPLY TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop: Amendment
Randolph Building, 401 Dulany Street
Alexandria, VA 22314

Sir:

First, the attorneys reference for this case has now changed to "NAKATA=11". Applicants respectfully request the PTO to change its records accordingly.

Applicants are in receipt of the Office Action mailed December 11, 2007, entirely in the nature of a restriction requirement. Applicants reply below.

First, however, applicants request the PTO to acknowledge receipt of applicants' papers filed under Section 119. Certified copies of the priority documents were filed on October 13, 2004.

Restriction has been required among what the PTO deems as being four (4) patentably distinct inventions. As applicants must make an election even when the requirement is traversed, applicants hereby respectfully and provisionally elect Group II, presently claims 12-18, without prejudice, but with partial traverse as regards Groups III and IV. Applicants accept the requirement insofar as it relates to Group I, and acknowledge the PTO holding that the Group I and Group II claims are patentably distinct from one another, i.e. each is *prima facie* non-obviousness from the other.

As regards Groups III and IV, applicants respectfully request that the requirement be withdrawn and that method claims 19-24 be examined along with the elected method claims 12-18. Even if the methods are patentably distinct from one another, applicants respectfully submit that the examiner should be guided by the second paragraph of MPEP 803 which requires examination of the non-elected subject matter if it would not constitute a "serious burden" to do so. Applicants submit that the methods are sufficiently similar to one another that they should all be examined in the same application.

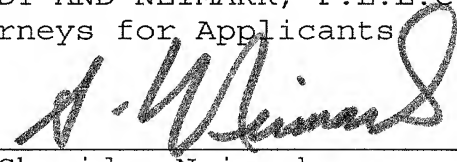
Appln. No. 10/816,168
Reply dated January 10, 2008
Reply to Office Action of December 11, 2007

Favorable reconsideration of the restriction requirement in part and examination on the merits of all the method claims 12-24 are respectfully requested.

Respectfully submitted,

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